



15750 U.S. PTO  
040904

**CUSTOMER NUMBER 25268**

5870 U.S. PTO  
10/822170

040904

# UTILITY PATENT APPLICATION AND FEE TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

## INCOMPLETE

Attorney Docket No. BIOL0082

Date: April 9, 2004

Inventor(s): **William E. Ortyn, Michael J. Seo, David A. Basiji, Keith L. Frost, and David J. Perry**

Title **AUTO FOCUS FOR A FLOW IMAGING SYSTEM**

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### APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Commissioner for Patents  
Mail Stop Patent Application  
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal (BELOW)
2. ☒ Applicant(s) claims small entity status. See 37 C.F.R. § 1.27.
3. ☒ Specification [Total Pages 50]
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 35] {FORMAL}
5. ☐ Oath or Declaration [Total Pages     ]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Box 17 completed) [Note Item 5 below]
    - ii. DELETION OF INVENTOR(S)  
☐ Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

6. ☒ Application Data Sheet. See 37 C.F.R. § 1.76

7. ☐ CD-ROM or CD-R in duplicated, large table or Computer Program (Appendix)

8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

a. ☐ Computer Readable Form (CRF) b. ☐ Specification Sequence Listing on: ☐ i. CD-ROM or CD-R (2 copies); or ☐ ii. Paper c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))

10. ☐ 37 C.F.R. § 3.73(b) Statement (when there is an assignee) \_\_\_\_\_ Power of Attorney

11. ☐ English Translation Document (if applicable)

12. ☐ Information Disclosure Statement (IDS)/PTO-1449 \_\_\_\_\_ Copies of IDS Citations

13. ☐ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503) (Should be itemized specifically)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. ☐ **NONPUBLICATION REQUEST: Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**

17. ☐ Other: \_\_\_\_\_

18. **If a CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) \_\_\_\_\_ of prior application No: \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner: \_\_\_\_\_ Group / Art Unit: \_\_\_\_\_

This application is based on a prior co-pending provisional application, Serial No. 60/462,574, filed on April 11, 2003 and is further a continuation-in-part of a prior co-pending conventional application, Serial No. 10/348,193, filed on January 16, 2003, which itself is a continuation-in-part of a prior co-pending conventional application, Serial No. 09/939,292, filed on August 24, 2001, which itself is based on a prior co-pending provisional application, Serial No. 60/228,076, filed on August 25, 2000, the benefit of the filing dates of all of which are hereby claimed under 35 U.S.C. § 119(e) and 35 U.S.C. § 120, as appropriate.

**For CONTINUATION OR DIVISIONAL APPLICATIONS only:** The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

Correspondence address below:

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**METHOD OF PAYMENT** (check one)

**Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance**

**X Payment NOT Enclosed**

### 1. BASIC FILING FEE

Provisional filing fee

11

**\$ 385**

\$

**IS**

**\$**

### Requesting publication of SIR after Examiner action

**TOTAL FEES ENCLOSED: (1)+(2)+(3) \$ -0-**

## Other fee (specify)

\$

Date: April 9, 2004

(Signature of person mailing paper or fee)